

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, INC., a Delaware corporation; ARISTA RECORDS LLC, a Delaware limited liability company; and WARNER BROS. RECORDS INC., a Delaware corporation,

Plaintiffs,

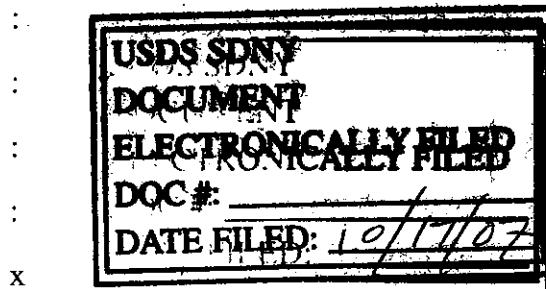
-against-

JOHN DOE,

Defendant.

JUDGE KAPLAN

07 CIV 9292



[PROPOSED] ORDER GRANTING PLAINTIFFS' EX PARTE APPLICATION FOR
LEAVE TO TAKE IMMEDIATE DISCOVERY

Upon the Plaintiffs' *Ex Parte* Application for Leave to Take Immediate Discovery, the Declaration of Carlos Linares, and the accompanying Memorandum of Law, it is hereby:

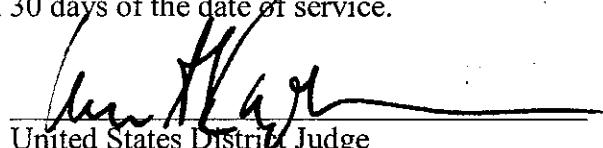
ORDERED that Plaintiffs may serve immediate discovery on New York University to obtain the identity of Defendant by serving a Rule 45 subpoena that seeks documents that identify Defendant, including the name, current (and permanent) addresses and telephone numbers, e-mail addresses, and Media Access Control addresses for Defendant. The subpoena may also seek all documents and electronically-stored information relating to the assignment of the IP address in the event that New York University cannot link the IP address to a specific individual. The disclosure of this information is ordered pursuant to 20 U.S.C. § 1232g(b)(2)(B).

IT IS FURTHER ORDERED THAT any information disclosed to Plaintiffs in response to the Rule 45 subpoena may be used by Plaintiffs solely for the purpose of protecting Plaintiffs' rights under the Copyright Act.

IT IS FURTHER ORDERED THAT the subpoena shall afford reasonable notice to customers so that they may object or move to quash prior to the return date of the subpoena. Accordingly, the subpoena shall be returnable within 30 days of the date of service.

DATED: 10/17/07

By:


United States District Judge